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8 Attorneys for Plaintiffs,
9 ATLANTIC RECORDING CORPORATION; SONY
10 BMG MUSIC ENTERTAINMENT; BMG MUSIC; UMG
11 RECORDINGS, INC.; LAFACE RECORDS LLC; and
12 MOTOWN RECORD COMPANY, L.P.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 ATLANTIC RECORDING CORPORATION, a
17 Delaware corporation; SONY BMG MUSIC
18 ENTERTAINMENT, a Delaware general
19 partnership; BMG MUSIC, a New York general
20 partnership; UMG RECORDINGS, INC., a
21 Delaware corporation; LAFACE RECORDS
22 LLC, a Delaware limited liability company; and
23 MOTOWN RECORD COMPANY, L.P., a
24 California limited partnership,

25 Plaintiffs,

26 v.

27 ANDREW SUAREZ-LOPEZ,

28 Defendant.

CASE NO. C 08-01667-WHA

Honorable William H. Alsup

PROOF OF SERVICE

MATTHEW FRANKLIN JAKSA 248072
560 MISSION STREET, 25TH FLOOR SAN FRANCISCO CA
425 268-2000

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

ATLANTIC RECORDING CORPORATION,
ET AL.,

Plaintiff(s)

ANDREW SUAREZ-LOPEZ

v.

Defendant(s)

CASE NUMBER:

3:08-CV-01667-WHA

PROOF OF SERVICE

SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action a I served copies of the (specify documents):

NOTICE TO DEFENDANT; SUMMONS; COMPLAINT FOR COPYRIGHT INFRINGEMENT; EXHIBIT; CIVIL COVER SHEET; CERTIFICATION AND NOTICE OF INTERESTED PERSONS; EX PARTE APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY; MEMORANDUM OF LAW IN SUPPORT OF EX PARTE APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY; ORDER GRANTING PLAINTIFF'S REQUEST FOR LEAVE TO TAKE IMMEDIATE DISCOVERY

2. Person served:

a. ☐ Defendant (name): ANDREW SUAREZ-LOPEZ

b. ☒ Other (specify name and title or relationship to the party/business named):

Jesse Suarez-Lopez RESIDENT, A Hispanic male approx. 21-25 years of age 5'8"-5'10" in height weighing 160-180 lbs with black hair

c. ☒ Address where papers were served: 912 ACOSTA PLAZA 7 SALINAS, CA 93905

3. Manner of Service in compliance with (the appropriate box must be checked):

a. ☒ Federal Rules of Civil Procedure

b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

a. ☐ By Personal service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and the minor if at least twelve (12) years of age.

~~1. Papers were served on (date):~~ _____ at (time): _____

b. ☒ By Substituted service. By leaving copies:

1. ☒ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.

2. ☐ (business) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.

3. ☒ Papers were served on (date): Jun 19 2008 at (time): 7:43:00 PM

4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).

5. ☐ papers were mailed on (date): _____

6. ☐ due diligence. I made at least (3) attempts to personally serve the defendant.



- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h))(C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment of by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid,*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): _____ at (time): _____

- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washing, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

Maricela Lopez
455 Reservation Road,, Suite E, MARINA, CA 93933
831-384-4030

- a. Fee for service: \$ 70.00
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: Jun 23 2008

Maricela Lopez
(Signature)

CV-1 (04/01)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

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Order No. 5281717 SEA

